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COMMISSION ON HUMAN RIGHTS

Fifty-sixth session

SUMMARY RECORD OF THE 40th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 11 April 2000, at 6 p.m.

Chairman: Mr. JAKUBOWSKI (Poland)
(Vice-Chairman)

later: Mr. IBRAHIM (Sudan)
(Vice-Chairman)

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GE.00-15301 (E)

The meeting was called to order at 6.05 p.m.

RIGHTS OF THE CHILD (agenda item 13) (continued) (E/CN.4/2000/69, 70, 71, 72, 73 and Add.1-3, 74, 75 and 128; E/CN.4/2000/NGO/21, 35, 57, 59, 82, 88, 127 and 142; CRC/C/84, 87 and 90)

1. Mr. SHARIFUDDIN PIRZADA (Pakistan) said that child labour in Pakistan's soccer ball industry had nearly vanished since the Government had embarked on a landmark project to combat it. Between 1996 and 1998, however, the industry had lost a good deal of its market share, as consumers had proved unwilling to pay the price of adult-only workmanship, and family incomes had consequently fallen by about 20 per cent. Notwithstanding those difficulties, the Government was taking similar initiatives in other industries and was considering ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO). It was currently finalizing a national Plan of Action on Child Labour, which would include monitoring, information, awareness raising and educational activities as well as an evaluation system. The Plan would also strengthen law enforcement, increase family resources to encourage education and extend the social security network.

2. The Government had recently decided to approve an ordinance relating to the juvenile justice system which would eliminate the death penalty for persons who were under 18 when they committed an offence. It was also establishing separate jails for minors.

3. Pakistan welcomed the finalization of the optional protocol on involvement of children in armed conflicts. The draft protocol's provisions should be interpreted in accordance with the purposes and principles of the United Nations Charter, including the right of peoples to self-determination. The provisions of article 4 should be interpreted in conjunction with the thirteenth preambular paragraph. In article 1, the term "all feasible measures" should mean all measures technically possible for a State party, and the term "do not take a direct part in hostilities" should not prohibit deployment for defence purposes in times of peace. Lastly, the "special protection" referred to in article 3 should be defined by the national competent authority, in accordance with the relevant international instruments.

4. Mr. MENDONÇA E MOURA (Portugal), speaking on behalf of the European Union and associated countries, said that in the next decade, the most serious violations of the rights of the child needed to be addressed, and the standards in the Convention on the Rights of the Child had to be translated into universal practice.

5. The decision by the Committee on the Rights of the Child to issue General Comments was a commendable step that would contribute to the jurisprudence of human rights. The Committee's thematic discussion days had served as a catalyst, and the forthcoming event dedicated to "State violence and children" might offer an opportunity for an open dialogue on corporal punishment in schools and institutions. In the light of the Committee's heavy workload, States were strongly encouraged to accept the amendment to the Convention allowing the number of experts on the Committee to be raised to 18. There was an urgent need, moreover, for many of the States parties to withdraw their reservations to the Convention.

6. Children's participation was an important part of the rights of the child. It should be ensured in matters concerning adoption, separation from parents, name change, education and medical treatment.

7. Because girls were often denied equal access to health care, food and education and were especially vulnerable to violence, including sexual violence, the protection and promotion of their rights were of particular importance. Governments should promote the status of girls through education, and should make primary education compulsory for all, while eliminating gender stereotyping.

8. United Nations bodies had to strengthen their efforts to improve the administration of juvenile justice. All States should bring their penal laws into line with international instruments. Deprivation of a child's liberty should be used only as a last resort, and penal measures, when taken, should be in conformity with the provisions of the Convention and other international standards. In particular, the death penalty should never be imposed on offenders under the age of 18 at the time of the crime.

9. Nearly 130 million illiterate children of school age had no access to basic education, and almost two thirds of them were girls. The Union welcomed the civic education and literacy campaigns implemented by various United Nations bodies and by non-governmental organizations (NGOs). Special emphasis should be placed on human rights education. Children having no access to education were more prone to exploitation of all kinds. A lack of education could deprive them of their rights throughout their lives.

10. The Union welcomed the two General Comments adopted by the Committee on Economic, Social and Cultural Rights on education. The primary responsibility for guaranteeing free access to good quality, compulsory primary education free of any discrimination rested with the State.

11. The Union strongly encouraged States to accede to and ratify the ILO's Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182). Millions of children were engaged in child labour, and any work likely to jeopardize a child's development had to be prohibited. While the worst forms of child labour were often the most visible, they did not necessarily affect the greatest number of children. Domestic labour was one of the most widespread and least studied forms of the exploitation of children.

12. In the light of the unprecedented impact of HIV/AIDS, the international community should make a combined effort to deal with the situation. Children affected by HIV/AIDS needed to be protected against discrimination and had to have their voices heard. The State and others must take action at the national level to formulate child-oriented policies and strategies to prevent the disease.

13. The growing availability of child pornography was of particular concern. Many countries had recently amended their legislation to facilitate prosecution of offenders. The Union welcomed the finalization of the draft optional protocol on the sale of children, child prostitution and child pornography, and stood ready to support further efforts. It also welcomed

the submission of the report on domestic violence by the Special Rapporteur on the sale of children, child prostitution and child pornography, whose work and recommendations it strongly endorsed.

14. The Union welcomed the submission of an interim report by the Special Representative of the Secretary-General for Children in Armed Conflict and the initiative taken by the Security Council to follow closely the impact of armed conflict on children. Much work in that field was being done by the entire United Nations system, including the United Nations Children's Fund (UNICEF), as well as by many international NGOs. In recent years, a number of international legal instruments had been adopted and would soon be of capital importance in tackling the problem; they included the Statute of the International Criminal Court and the Convention on Anti-Personnel Mines. At the beginning of 2000 a consensus had been reached on the draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts. The international community must adopt and accede to that instrument as quickly as possible.

15. Ms. DITLHABI-OLIPHANT (Botswana), noting that there were generally no differences of opinion as to the substance of the rights of the child, said that the report of the Special Representative of the Secretary-General for Children in Armed Conflict, Ambassador Olara Otunnu, shed light in chilling detail on the extent to which children were exposed to the devastating effects of war. The use of children in conflict was a crime against humanity which would have far-reaching consequences for any society. The recommendations of the Special Representative, and especially those regarding the promotion and strengthening of local values, merited support.

16. Children by nature required more time than adults to recover from the effects of war. Their reintegration into society therefore required a long-term strategy. There were currently over 50 wars in the world, and the children whose rights were being violated needed concrete action, and not fine words. The time had come, as the Special Representative had said, to launch "an era of application for international norms".

17. Botswana hosted refugees from other African countries, including many women and children, and their numbers were growing. No one became a refugee by choice. While it was important to provide a solid framework for the integration of refugees, it was equally important to look at the options available for long-term solutions, one of which would involve arresting the problem at its roots, before it became unmanageable. Conflict resolution and management were therefore a cornerstone of foreign policy for the Southern African Development Community, and one which had met with some success.

18. In Botswanan society, which counted heavily on an extended family structure, the scourge of HIV/AIDS had produced a new kind of child victim, as children lost their parents and other family members to the disease. The Government had established a National Advisory Council on AIDS, chaired by the country's President, to coordinate HIV/AIDS programmes and provide technical advice. Some of the recommendations made by the Special Representative on Children and Armed Conflict, such as the strengthening of the social value system, mainstreaming children's interests into priority-setting activities and placing their protection at the top of the policy agenda, would also be relevant to children orphaned by HIV/AIDS.

19. Children were crying out for their rights to be respected and for their basic needs to be met. In a world which had demonstrated its resourcefulness in other noble causes, from space exploration to cyber-technology, the time had come to take action.

20. Mr. MORA GODOY (Chairman-Rapporteur of the open-ended inter-sessional working group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography) said that the draft protocol that he was presenting represented six years of efforts by the international community to shape an instrument providing for effective cooperation against the sale of children, child prostitution and child pornography. Six years before, many had denied the existence of the problem or had rejected the shared responsibility to take action against such crimes. Even in the working group itself, some had initially considered that the protocol was unnecessary. Others had felt that it could not move ahead quickly owing to a lack of consensus. Many had thought that the negotiation of the protocol would, as had been the case for many other international human rights instruments, take 10, 15 or even 20 years to complete. In the end, however, the undisguised truth, as reflected in the reports of the Special Rapporteurs and in the increasingly numerous complaints of the internationalization of such crimes, had mobilized international public opinion. The issue could not be reduced to a difference of views between the North and the South, and it was not a case of designating certain States as responsible and others as victims. It was not a question of a political campaign in the field of human rights. It had become clear that such crimes must be stopped, and that the victims were not only black, Latin American or Asian. International criminals profited from the sale, prostitution, illegal adoption or trade in organs of all kinds of children. Many experts had estimated that those activities ranked third in terms of profit after the illegal drug and arms trades. And even that did not take into consideration the human, sentimental, spiritual and social costs that were involved for the children themselves, their families and society as a whole.

21. The sale of children, child prostitution and child pornography affected hundreds of millions of children and would leave entire generations scarred. They were a veritable plague, comparable to the spread of AIDS in some societies, ravaging the human rights of children. They amounted to a form of gradual genocide against childhood. It was the duty of the international community to redouble its efforts and take legislative measures both nationally and internationally to defend the physical and moral integrity of its children. That was the purpose of the instrument that the working group proposed that the Commission should adopt and submit, through the Economic and Social Council, to the General Assembly for final adoption.

22. While the protocol was perhaps not ideal, it was indisputably a major step forward. It was for all Governments an opportunity to achieve full cooperation for the noble purpose of stopping such practices, on the basis of the Convention on the Rights of the Child. The draft was the fruit of a careful and delicate compromise, and did not represent the interests of Cuba or of any other country in particular. It was the shared text of all countries, even though it did not reflect all the specific interests and positions involved. It was up to the Commission to preserve that fragile consensus.

23. A single document could not in itself eliminate an evil. If it could, there would be no war, no famine and no missing, raped, kidnapped or abused children. However, the draft optional protocol was a good mechanism, and an important instrument with which to demonstrate the genuine political will to eradicate such crimes.

24. Ms. KOWALSKA (Poland) said that the protection of children from physical and mental violence, injury, maltreatment, abuse or exploitation was of paramount importance to the Polish Government, which had recently established the post of Ombudsman for Children's Rights. The Ombudsman was responsible for ensuring the rights to life and health, upbringing in the family, proper social conditions and education, and undertook to protect children from violence, cruelty, abuse, demoralization and exploitation.

25. Throughout the world, many children had been mutilated, killed, recruited or abducted in armed conflict; some had witnessed or been forced to take part in unspeakable violence, often against their own families or communities. Children were also increasingly subjected to sexual, commercial or economic exploitation, which was carried out with impunity. The Internet, which offered opportunities for education, information and communication, also exposed children to the risk of contact with inappropriate material such as child pornography. Contemporary mass culture, which was replete with violence and aggression, played a major role in the spiritual shaping of children and adolescents. While the family was the most important element providing the special protection children needed, local moral and cultural values and community structures should also be strengthened, while national and international legal frameworks to protect children against sale, prostitution and pornography had to be put in place.

26. Poland supported the Peace and Security Agenda for Children proposed by UNICEF, which would inter alia prohibit the use of child soldiers, fight impunity of war criminals and protect children from the effects of sanctions. It welcomed the finalization of the two draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflicts and on the prevention of the sale of children, child prostitution and child pornography.

27. The protection of children's rights required decisive leadership and the mobilization of resources, including those of Government, family, local leaders, women's organizations, national and multinational groups, and of course of the children themselves. Their health, ethics and intellect would be decisive for the future of families and nations. Investing in children yielded multiplied returns.

28. Ms. CALCETAS-SANTOS (Special Rapporteur on the sale of children, child prostitution and child pornography), introducing her report (E/CN.4/2000/73), said that she had focused on domestic violence and the family's role as a determinant of the exploitation of children.

29. The family was, according to the very terms of the Convention on the Rights of the Child, the fundamental group of society and the natural environment for the growth and well-being of all its members, and particularly children. Indeed, family might be the effective

shield which protected some children from exploitation while others were victimized. For many children drawn into commercial sexual exploitation, the cause could be traced back to their family situations.

30. Domestic violence had mainly been studied with respect to physical violence against women. Little research had concentrated on children in that regard. The data which was available pertained most often to girl children. But boys too were at risk of abuse from their own families, and could also be drawn into prostitution and pornography.

31. She had requested information on the problem of domestic violence from all Governments, relevant United Nations bodies and intergovernmental organizations and NGOs. While most of the information provided related to physical and sexual violence, maltreatment, emotional neglect and cruelty were also important factors, and the report before the Commission covered the whole range of abuses covered by the Convention.

32. Most of the information received confirmed that many children, mainly girls, who had been drawn into prostitution had experienced traumatic childhoods. According to one response, some of the girls explained their entry into prostitution as a cry for help or a wish for love, to be seen and acknowledged. Despair and a lack of self-esteem had made prostitution a viable option. One girl had said that at least as a prostitute she was paid for the abuse.

33. Children who witnessed domestic violence among adult family members could be just as seriously affected as those who were directly mistreated. In the opinion of some, such children were mentally abused. Domestic violence often led to homelessness, as it could force a battered mother to leave the home with her children. The psychological impact of family violence on children was often serious enough to require therapy in adulthood. According to one report, boys involved in prostitution often had run away from home because they had been ostracized owing to suspicions of their sexual preferences and could count on little support from family members.

34. Certain Governments had in their replies denied the existence of domestic violence in their countries. The absence of reports did not indicate that there was no problem. Serious consideration should be given to factors such as cultural taboos, ignorance and the tendency to view the problem as a strictly private family matter.

35. It was clear that the elimination of domestic violence was fundamental in preventing children from being sexually exploited.

36. The use, even within United Nations circles, of the term "child sex workers" was of increasing concern. While the adoption of the Worst Forms of Child Labour Convention, 1999 (No. 182) of the ILO had been a welcome step, the assimilation of child prostitution to a form of labour, however extreme, might send a dangerous message. Children in prostitution were never "workers".

37. As Special Rapporteur, she had been carried out a number of missions in recent years, and follow-up information had been requested from the Governments of the countries visited. It was disappointing that only the Mexican Government had responded. The Governments of

the United States, the Czech Republic, Kenya and Laos were thus urged to provide further information. More lately, missions had been carried out to Belgium, the Netherlands, Guatemala, Fiji and Morocco. Information on the recent mission to Morocco would be provided at the next session of the Commission. Country missions were carried out under tight time and resource constraints, and required much effort. However, they were very valuable, as they allowed the Special Rapporteur to gain insights that were often missed by the locals themselves.

38. The country visit to Belgium had been prompted in large part by the case of Marc Dutroux, who had been charged with the kidnap, rape and murder of several young girls and who had allegedly been part of an organized network of paedophiles operating throughout northern Europe. In both Belgium and the Netherlands there was a high volume of trafficking in children; in Belgium traffickers reportedly abused a system designed to assist asylum-seekers by bringing women and children into the country for prostitution. The report recommended that both Governments should establish reception centres to tend to the immediate needs of minors before any determination of subsequent procedures.

39. In Guatemala, where the main concerns were the system of intercountry adoption and the risk of sexual exploitation of Guatemalan children, the Government had engaged in a candid dialogue and had provided much assistance. A number of Government bodies, lawyers, judges, adoption agencies, mothers whose children had been adopted and orphanages had been visited. It was clear that the current very weak and ineffective system for intercountry adoptions had created a highly lucrative market in which children, very often from poor, illiterate families, were treated as a commodity. Their birth mothers were subjected to coercion, deception and even the kidnapping of their sons and daughters. The amount paid by foreign couples for the adoption of such children could reach US$ 25,000, while local adoptions could be arranged for as little as US$ 300. While no one could offer a transparent breakdown of the costs involved, the evidence suggested that private lawyers profited handsomely from such transactions.

40. The introduction into force of the Guatemalan Childhood and Youth Code, which would penalize trafficking in children, had been deferred three times, and it appeared had even been indefinitely suspended by the Guatemalan Congress. If enforced, that law would pave the way for the passing of a law on intercountry adoption. The Government was strongly urged to enforce the code and to introduce such legislation as quickly as possible so as to bring its laws into line with its obligations under the Convention on the Rights of the Child.

41. In Fiji, the Government had showed no willingness to recognize the problem of sexual exploitation of children, and as a result no meetings had been held with the relevant Government ministers. Fiji and other small Pacific States had reportedly become popular alternative destinations for child sex tourism as more stringent measures had been applied in other countries in the Asia-Pacific region. There had been reports that Fijian children were victimized by both local and foreign clients. In addition, many indicators of the growing involvement of children in commercial sex had become apparent, ranging from drug and alcohol abuse among children to an influx of tourists and a general lack of awareness among both ordinary people and policy makers. The Government was called upon to accept that such problems existed in the country and to work with Fiji's very committed NGO community to prevent the situation from worsening.

42. Mr. GODOY (Guatemala) said that the bare reality reflected in the report of the Special Rapporteur on the sale of children, child prostitution and child pornography was an affront to human dignity and was of the utmost concern to the Guatemalan Government and society. The report would benefit all people in Guatemala and would prompt the Government to address its own policy shortcomings. The Social Movement for the Rights of the Child in Guatemala had already drawn attention to such problems. Unfortunately, the solutions it had proposed had been misunderstood by policy-making bodies.

43. The Government would place high priority on the passage of an act on adoptions so as to establish effective control and regulation mechanisms. It was prepared to ratify international instruments for child protection, including the Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption and the two draft optional protocols to the Convention on the Rights of the Child. A Plan of Action for street children and another to combat sexual exploitation of children were about to be implemented with the support of international bodies and NGOs.

44. The Peace Agreements had set targets for education, including an educational reform intended to promote multiculturalism, and the Government was committed to giving that initiative a new impetus. It was also taking steps to facilitate the organization of children's councils at the local and national levels. The Government was aware that a system offering children comprehensive protection was required, and would work toward that end with the Congressional Commission on Monitoring the Childhood and Youth Code.

45. Mr. CASTRO GRANDE (El Salvador), having associated his delegation with the statement to be made by the representative of Venezuela on behalf of the Latin American and Caribbean Group, said that in El Salvador, where 46 per cent of the population was under 18, special attention had always been given to the situation of children.

46. El Salvador had an impressive list of legislative acts protecting children's rights and governing relations with juvenile offenders, including the Family Code, the Juvenile Offenders Act and the Act establishing the Salvadorian Juvenile Protection Institute. The enrolment rate for basic education was 80 per cent, while infant mortality under five years had dropped by about 30 per cent. Thanks to child vaccination coverage of over 90 per cent, polio and measles had been eradicated. A number of measures had been taken under the International Programme on the Elimination of Child Labour of the ILO (ILO-IPEC), including one designed to ensure that children working in coffee production could attend school. The country was in the process of ratifying the Worst Forms of Child Labour Convention, 1999 (No. 182).

47. Only a genuine culture of peace would make it possible to overcome the problem of violence which was directly affecting children and young people. The International Decade for a Culture of Peace and Non-Violence for the Children of the World, which was to begin in 2001, had been declared in recognition of the enormous harm and suffering to which children were exposed because of violence. The international community should consolidate its efforts to ensure respect for the life, dignity and human rights of all persons, and especially children, in accordance with the Declaration and Programme of Action on a Culture of Peace. Children had

to be given the values, attitudes, behaviours and lifestyles they needed to resolve conflicts and to ensure respect for human dignity, tolerance and non-discrimination. The delegation of El Salvador had therefore proposed that the omnibus resolution on the rights of the child should contain a reference to the Declaration and Programme of Action.

48. El Salvador was pleased that the draft optional protocols to the Convention on the Rights of the Child had been successfully completed by the two working groups. While those instruments were not perfect, their rapid adoption and ratification would make a decisive contribution to the protection of children's rights around the world.

49. Mr. SUN Ang (China) said that since the Convention on the Rights of the Child had been ratified by China, the State had adopted laws protecting minors and the disabled, defending women's interests and rights and providing mother and infant health care, as well as other enactments governing adoption, compulsory education and the world of work.

50. A framework children's development programme had been adopted in 1992 and had subsequently been implemented. Thanks to the efforts of the Government and society, most of its 10 major objectives had already been fulfilled or surpassed. Much remained to be done before all the provisions of the Convention on the Rights of the Child were fully implemented. Some 40 million persons in China, one third of whom were children, still lived in poverty. The Government was providing financial assistance to permit children living in poverty to go to school.

51. The Convention on the Rights of the Child, which had been ratified by 191 States in just 10 years, had become the most widely accepted international instrument in history. However, a certain super-Power had still not ratified the Convention, while indulging in self-praise and criticizing the observance of human rights by other countries. One could only doubt the sincerity of that country's support for human rights, and question its motives in passing judgement on others.

52. China welcomed the fact that the two draft optional protocols to the Convention on the Rights of the Child had been completed, and expected the Commission to adopt both instruments at the current session.

53. Mr. Ibrahim (Sudan), Vice-Chairman, took the Chair.

54. Mr. LOUM (Senegal) said that in Africa, economic, social and cultural constraints made the situation of children particularly difficult, as armed conflicts and humanitarian crises, coupled with the debt burden, the drastic drop in public development assistance, a lack of foreign direct investment and a chronic scarcity of national resources undermined the efforts made by States to ensure respect for the provisions of the Convention on the Rights of the Child. The exploitation of child labour, the sale and prostitution of children and child pornography were very disturbing problems, further compounded by illness, hunger and illiteracy. A new commitment was needed to protect children from those scourges.

55. Senegal welcomed the constructive cooperation between the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNICEF, the ILO and other United Nations bodies with the aim of implementing the Convention and the Plan of Action of the World Summit for Children.

56. Despite the constraints it faced, the Senegalese Government had worked in cooperation with UNICEF and other United Nations bodies and agencies and with its development partners to implement its national action plan for children. In the past decade, it had strongly advocated the Convention, which had been translated into the national languages and broadly disseminated. Senegal attached great importance to the reduction of the infant and child mortality rate and to family planning measures, including those related to reproductive health, the functional literacy of women and education for girls, whose enrolment rates were rising faster than the average. The Government had in 1999 adopted a law banning female genital mutilation, prohibiting sexual harassment and strengthening penalties for rape, paedophilia and violence against women, including domestic violence, which affected children.

57. Joint efforts must be made to promote the protection of children's rights during armed conflicts and humanitarian crises. Senegal expressed its solidarity with the efforts made by the representatives of the Secretary-General and of UNICEF to raise the minimum age of army recruitment to 18. It welcomed the recent adoption by the International Labour Conference of the Worst Forms of Child Labour Convention, 1999 (No. 182) and called for its universal ratification.

58. In a few short years, the international community had built an impressive edifice for the protection of children's rights. The results were not yet commensurate with expectations, but the objectives were clearly defined. There was no task more pressing or more noble than that of protecting the fundamental rights of children, their right to peace and security, to food and health, to education and to self-fulfilment. While the realization of such rights was primarily the responsibility of each Government, it was nonetheless important to undertake firm, coordinated international action to improve the situation of children, in Africa and throughout the world.

59. Mr. RAHMAN (Bangladesh) noted that despite greater awareness of the problems besetting children in the world, there was still a long way to go before their interests would be effectively protected. The finalization of the two draft optional protocols to the Convention on the Rights of the Child was, however, a source of inspiration. Their early adoption would clearly be a step forward.

60. Among the rights of the child, the right to education was one of the most prominent. According to the Special Rapporteur on the right to education, bilateral aid for education from OECD countries was declining, and only a very small proportion - under 1.5 per cent - was earmarked for basic education. As for multilateral aid, the World Bank, which boasted that it was the largest source of finance for education, also needed to focus more on primary education.

61. In Bangladesh, primary education was free and compulsory for all children through grade 5, and was free for girls through grade 9. A food-for-education programme was being implemented to reduce the drop-out rate, and enrolment in primary education had significantly increased. The Government had adopted a national policy on children and had set up a National

Children Council, which included all relevant ministries, NGOs and child welfare activists. Thanks to the joint efforts of the public and private sectors, infant mortality had declined, immunization coverage had risen to about 85 per cent, polio had nearly been eradicated and most children had access to clean drinking water. Much remained to be done. Infant and child malnutrition and mortality rates remained high, as did the primary school drop-out rate. In order to take action against trafficking in children and child labour, greater support would be required from United Nations bodies and specialized agencies.

62. The Bangladesh Garment Manufacturers' and Exporters' Association had signed a Memorandum of Understanding with ILO-IPEC, which had broken new ground in meeting the economic and educational needs of children withdrawn from work and had effectively eliminated child labour in that sector. With a little more dedication, the international community could make greater headway in meeting the numerous challenges that it faced.

63. Mr. VALENCIA (Ecuador) said that the Government of Ecuador would endorse the position of the Latin American and Caribbean Group for the adoption at the current session of the draft resolution on the rights of the child. The resolution should include provisions concerning the right to identity and the phenomenon of violence against children, which could take numerous forms. Since the problem of violence was related to the fields of education, labour, migration and correctional activities for juvenile offenders, a comprehensive approach was needed, and that would require coordination between various United Nations bodies.

64. Ecuador was very pleased that the two working groups on the draft optional protocols to the Convention on the Rights of the Child had successfully completed their work. Ecuador had, in deference to the best interests of the child, advocated the idea that States which had not ratified the Convention should nevertheless be able to accede to the two protocols. While acknowledging the need for consistency in international legislative instruments, for reasons beyond the control of the participants in the working groups it had been impossible to use a standard wording in the drafts. The current exceptional case notwithstanding, instruments additional to one and the same international treaty should as a matter of principle contain similar provisions for accession and withdrawal.

65. Each of the protocols would serve as a basis for multilateral action against very concrete problems affecting thousands of children around the world. Ecuador and many other States would have preferred for both protocols, and especially the one on the sale of children, child pornography and child prostitution, to contain more stringent provisions. The current draft was, however, a step in the right direction, and one which left the door open to more effective measures. As international awareness of those problems grew, so would the likelihood of the adoption of more targeted and forceful international instruments.

66. Ms. RUBIN (United States of America) noted that the past year had seen the adoption by the ILO of the Worst Forms of Child Labour Convention, 1999 (No. 182). The United States, which had been among the first nations to sign and ratify that Convention, called upon all States to give that instrument the prompt attention that it merited.

67. The international community had also recently agreed upon two important draft optional protocols to the Convention on the Rights of the Child. The two protocols should be endorsed

by the Commission and forwarded for early adoption by the Economic and Social Council and the General Assembly. It would take more than that, however, to shield children from cruelty and to give each child a chance to reach his or her full potential. Some 1.2 billion people around the world were living in poverty, and half of those were children. In developing countries, some 250 million children were working, half of them full-time. Few had the opportunity to go to school.

68. Because some Governments did not appreciate the value of education in development, they did not require universal primary schooling. Others did not give girls equal educational opportunities. In an interdependent and vastly competitive world, any country that hoped to rise had to educate all its children, without exception.

69. The United States was investing heavily in international programmes against child labour. It had in 1999 raised its annual contribution to ILO-IPEC tenfold, to US$ 30 million. Those funds had helped thousands of children leave the garment industry in Bangladesh and the soccer ball industry in Pakistan to attend school, and had supported programmes against child prostitution in Thailand and trafficking and exploitation in Nepal. Another US$ 10 million would be added through a new programme which provided educational alternatives to child labour in developing countries.

70. According to UNICEF, some 2 million young people had died as a result of conflicts in the space of a decade. The United States had designed a series of programmes to assist child soldiers in Angola, Liberia, Uganda and Sierra Leone and was working with young conflict victims in the Congo, Croatia, Eritrea, Ethiopia, Lebanon, Viet Nam and Kosovo.

71. Throughout the world, children themselves were championing the cause of universal human rights. In Colorado, primary school children had launched an effort to purchase the freedom of hundreds of children held in bondage in the Sudan. In Canada, Craig Kielburger had focused world attention on the consequences of abusive child labour. Children and teenagers in the West Bank, Israel, Zambia, Thailand and Colombia had undertaken similar activities in favour of human rights or peace. By addressing their communities' needs, young people were learning that they could make a difference.

72. The Special Session of the United Nations General Assembly for Follow-up to the World Summit for Children, to be held in 2001, would be an opportunity for Governments to unleash the productive capacity of their young people. Governments must support activities in which children served their communities.

73. Mr. VALVATNE (Norway) said that while no individuals were more equal than others, some were more vulnerable. Human rights policies must therefore always stand up to scrutiny in terms of the best interests of the child. The Convention on the Rights of the Child offered a clear framework in which to meet children's needs and encourage their participation. The Norwegian Government consistently sought to foster the participation of children in the development of society. A Youth Forum for Democracy had recently been established to further strengthen such efforts.

74. While the Convention had secured an unprecedented level of ratification, there was a large gap between the theory and the reality of children's rights. Many reservations had been filed which ran contrary to the object and purpose of the Convention or to international treaty law, thus undermining the value of that instrument and calling into question the commitment of the States that had issued them. Norway called upon States parties to withdraw such reservations as soon as possible.

75. The observations and recommendations issued to Governments by the Committee on the Rights of the Child were very valuable, and should be given due attention in drawing up policy. One of the aims of the "Oslo Challenge", launched on the tenth anniversary of the entry into force of the Convention, had been to draw up a resource manual for reporting and examining issues relating to children and the media.

76. The adoption by consensus and acclamation of the draft optional protocol on involvement of children in armed conflict was a source of satisfaction. It was only appropriate to express thanks to the NGOs that had played an active and important role in the drafting of that instrument. Norway supported the work of the Special Representative of the Secretary-General for Children in Armed Conflict, who should serve as a catalyst for action.

77. Norway also welcomed the finalization of the draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the submission of the report of the Special Rapporteur on that subject, which focused on domestic violence.

78. Another subject of concern was discrimination against girls. Female infanticide, child marriages, female genital mutilation and other harmful practices which violated girls' human rights persisted and must be stopped.

79. Child labour, which affected approximately 250 million children in the world, was a complex problem which demanded a multisectoral, holistic approach. That would demand close international cooperation, as well as cooperation between the authorities and civil society, including the child workers and their families. The elimination of child labour would require the eradication of poverty, revenue replacement and the development of educational opportunities. The adoption of the Worst Forms of Child Labour Convention, 1999 (No. 182) was an important step forward. Norway called for broad ratification of that instrument and the implementation of effective measures in each country.

80. Mr. MONIAGA (Indonesia) said that the ratification of the Convention on the Rights of the Child by 191 States signalled the importance attached to that instrument by the international community. He commended the considerable work done by the Committee on the Rights of the Child. Indonesia welcomed the completion of the elaboration of the two draft optional protocols to the Convention on the Rights of the Child.

81. The increased marginalization of the developing countries and its impact on the welfare of children were important aspects, which had to be addressed during the preparatory work for the Special Session of the General Assembly for Follow-up to the World Summit for Children. As a result of that marginalization, the most vulnerable groups were very often condemned to a

precarious life in poverty. It was poverty that fuelled child labour and engendered malnutrition, claiming countless victims. Millions of children were working as labourers, and millions more were involved in prostitution. The international community professed its profound concern for their rights, but it allowed poverty to cut short their lives.

82. Indonesia, which had ratified both the ILO's Minimum Age Convention, 1973 (No. 138) and its Worst Forms of Child Labour Convention, 1999 (No. 182), fully supported all efforts to eradicate child labour and exploitation. It was essential, however, that such efforts should go beyond legislation, and extend to social and economic development as well. While the Government was committed to observing the various Conventions protecting children's rights, it still faced constraints owing to the economic crisis.

83. Investment in education and the provision of health care would yield returns. The Government was channelling resources to trigger economic recovery and cushion the impact of the crisis on the most vulnerable groups, and was continuing to pursue the aims of the national plan of action for the implementation of the World Declaration on the Survival, Protection and Development of Children. In addition, the 79 Indonesian NGOs dealing with the rights of the child had, with the support of the Government and UNICEF, established an independent National Commission on Child Protection. That body had established 17 branch offices throughout the country, which were currently providing play therapy and other reintegration activities for children who had been internally displaced or otherwise affected by civil violence.

84. Mr. MORENO (Italy), endorsing the statement made by the Portuguese delegation on behalf of the European Union, said that during the meeting on 23 March 2000 of the Working Group on the optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts, Italy had joined in the general consensus. It had, however, requested that the report of the Working Group should include a paragraph setting out the Italian position regarding the minimum age for the participation of children in armed conflicts.

85. The provisions of the protocol must be applied as broadly as possible. In addition, the instrument must be improved during its first revision. For example, the phrase "to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities" in article 1 required an authentic interpretation of the word "direct". The Government and public opinion must be aware of the conditions which would determine what a direct part was, as opposed to an indirect part.

86. Mr. NIKIFOROV (Russian Federation) noted that children had special rights, and were thus entitled to special attention from the adult world. According to the provisions of the Convention on the Rights of the Child, the State must ensure the survival and development of the child "to the maximum extent possible", as well as the rights to medical care, to a name and to nationality.

87. The Convention provided for the protection of children's rights in armed conflicts. The nature of conflict had changed, to the point where 90 per cent of victims were currently civilians, at least half of whom were children. The Russian Federation supported the draft optional protocol to the Convention on the Rights of the Child on involvement of children in conflicts, but regretted that the Working Group on that question had been unable to fulfil its mandate by

creating a new, effective mechanism. Had the positions of a number of States been more flexible and responsible, it might have been possible to include the 18-year age-limit for recruitment in the armed forces.

88. Neglect, drug addiction, trafficking of children or even of their organs and sexual exploitation, including through the use of the Internet, were a stark reality for many young people. The work of the Special Rapporteur on the sale of children, child prostitution and child pornography was to be commended and supported. The finalization of the draft optional protocol to the Convention on the Rights of the Child on that subject was a welcome development.

89. The principles of the best interests of the child and of the full development of the individual had always underpinned activities carried out for children in the Russian Federation. In 1998 the Government had consolidated legislation in that field by adopting an act which set out guarantees for the rights of the child. Child neglect, which had previously been unknown in the Russian Federation, was a complex and very acute problem. In the past three years, a programme and an act on the prevention of child neglect and juvenile crime had been adopted, along with a series of urgent measures against child neglect. Those measures would inter alia identify drop-outs and homeless children, establish new institutions for the reintegration of neglected children including drug addicts, and organize leisure activities as a preventive measure against child neglect.

90. Despite economic difficulties, the Government was finding ways of providing social assistance to the most disadvantaged groups, and especially children. Assistance was being targeted to those with the lowest family income, who needed public assistance the most. In the allocation of public funds, the various children's programmes were constantly given priority.

91. At such a difficult time in Russian history, international cooperation for the protection of children's rights was of special importance, all the more so as it led to positive results. UNICEF had been supporting a project which set up posts of officials responsible for children's rights at the regional level, and the work of such officials had met with much public enthusiasm and support in the Russian Federation. The project had therefore been extended.

92. Mr. PACURETU (Romania), endorsing the statement delivered by the representative of Portugal on behalf of the European Union and associated States, said that constant efforts were required to ensure the protection and promotion of children's rights.

93. In the past decade, Romania had carried out a reform which had placed the highest priority on the best interests of the child, had decentralized responsibility for the protection of children and the promotion of their rights, and had placed emphasis on family alternative care instead of residential care. It had also brought its laws governing adoption into line with international standards, thus reducing the time spent by children in residential units. Much effort had gone into measures to identify and assist children and families in difficulty, to protect the family environment and to monitor institutions in charge of child protection. About 30,000 children had benefited from State protection services, and 180 new social assistance programmes had been set up in partnership with some 600 NGOs.

94. Romania recognized the efforts of the Committee on the Rights of the Child to improve monitoring of the Convention's implementation. The proposals to make better use of the Committee in raising awareness and accountability of States merited full support. His delegation called for the early adoption of the two optional protocols to the Convention on the Rights of the Child and for widespread accession to those instruments. The fact that the protocols were binding would ensure that they had an impact. In order for the international instruments to be effective, they must be accompanied by national legislation and practical actions. Romania would do its part in that regard.

95. Mr. PRASAD (India) said that despite the elaboration of the Convention on the Rights of the Child, millions of children remained deprived of their basic rights, primarily owing to widespread poverty.

96. India's Constitution provided a framework for the protection, development and welfare of children, and prohibited child labour in factories, mines and other hazardous occupations. It assigned to the State the tasks of protecting children from exploitation and moral and material abandonment and of providing them with opportunities for healthy development. Under the Constitution, education must be free and compulsory until the age of 14.

97. In 1974 the Indian Government had adopted a national policy for children, which had established that the State must provide adequate services for all children, including a comprehensive health programme, supplementary nutrition for mothers and children, nutrition education for mothers, promotion of physical education and special consideration for children from the weaker sections of society. At about the same time, a national children's fund had been set up to support voluntary organizations running child welfare programmes. The Integrated Child Development Services programme had been created in the early 1970s and expanded in 1996, and was the main Government programme for early childhood survival. The programme currently benefited over 18 million children and about 5 million nursing or pregnant mothers. A department of women and children development had been established at the Ministry of Human Resources Development and had in 1992 formulated a national plan of action for children, which addressed such priority areas as health, nutrition, education and the provision of safe water. With the support of UNICEF, a campaign to enhance child participation had begun. Child mortality had significantly declined as a result.

98. Universal primary education was one of the key objectives of the budget policies recently announced by the Government. It was currently considering a constitutional amendment which would make free and compulsory education for all children from 6 to 14 a fundamental right, and would give parents and guardians the duty to provide their children with educational opportunities. The Government was committed to concerted action against problems affecting children owing to poverty, and was in the process of ratifying the Worst Forms of Child Labour Convention, 1999 (No. 182).

99. The consensus reached by the working group on the draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts was a welcome development. Children must not be recruited for warfare. Democratic Governments did not engage in such practices. However, non-State actors such as armed rebels, insurgents and terrorists recruited children, often forcibly. To the deep regret of his countrymen, schools

and seminaries in their region were still being misused to instil hatred and intolerance in young people, who were then used as cannon fodder for terrorist acts. While the draft optional protocol touched on non-State actors, it did so with less emphasis than might have been desirable.

100. It was to be hoped that the Commission would at its current session adopt the draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which in view of the growing incidence of such crimes was long overdue.

101. Mr. DESPOUY (Argentina) said that Argentina would fully support the statement that the delegation of Venezuela would be delivering on behalf of the group of Latin American and Caribbean countries. Argentina welcomed the finalization of the two draft optional protocols to the Convention on the Rights of the Child, which would permit the international community to unite its forces against the social and moral scourges of the involvement of children in armed conflict and the sale of children, child prostitution and child pornography.

102. In Argentina's view, the protection of the rights of the child should begin at the moment of conception and should be respected during gestation. A child's right to an identity included nationality, name and family relationships, as well as the restitution of such aspects of identity as might have been denied to the child by illicit means. In Argentina, the Grandmothers of the Plaza de Mayo had succeeded in solving 66 cases of children who had disappeared under the military dictatorship. The discovery of some of those children in Paraguay, and the laudable efforts recently undertaken by the Uruguayan President, Jorge Battle, to identify the granddaughter of Juan Gelman, underscored the need for a universal convention against forced or involuntary disappearances.

103. Argentina considered that the right to grow up in a family was of crucial importance for the full development of the child's personality. It was thus concerned about the large number of cases in which the rights of children to have personal relations and direct contact with both parents, even when they were living far apart, were violated. It was particularly concerned that children were frequently removed to other countries and illicitly detained there, in violation of article 11, and supported all efforts to deal with such cases when they arose.

The meeting rose at 9 p.m.